
UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. SACV 12-1840-JST (JPRx)

Date: October 29, 2012

Title: Nicholas P. Jordan v. Nationstar Mortgage, LLC, et al.

Present: **Honorable JOSEPHINE STATON TUCKER, UNITED STATES DISTRICT JUDGE**

Dwayne Roberts
Deputy Clerk

N/A
Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFF: ATTORNEYS PRESENT FOR DEFENDANT:

Not Present

Not Present

**PROCEEDINGS: (IN CHAMBERS) ORDER REQUIRING PLAINTIFF
NICHOLAS P. JORDAN TO SHOW CAUSE WHY THIS
CASE SHOULD NOT BE REMANDED**

Plaintiff Nicholas P. Jordan (“Plaintiff”) removed this action from the Orange County Superior Court, case number 30-2012-005776466-CU-OR-CJC, on the basis that it is “related to” a bankruptcy case. (Notice of Removal at 1-2, Doc. 1.) In his Notice of Removal, Plaintiff contends that Defendants in his case have asserted certain defenses that present federal questions because they affect the administration of Plaintiff’s bankruptcy estate. Specifically, Plaintiff contends that Defendants argue that he is estopped from asserting his claims because he failed to list any claims he has against Defendants in his bankruptcy schedules, and that only the bankruptcy trustee can bring this case—i.e., Plaintiff lacks standing. It appears that this Court lacks subject-matter jurisdiction, as these defenses do not present federal questions, nor would the assertion of such defenses transform the state-court proceeding into a case that is “related to” a bankruptcy case, such that removal would be proper under 28 U.S.C. § 1452. *See, e.g., Cloud v. Northrop Grumman Corp.*, 67 Cal. App. 4th 995, 1004-05 (1998) (analyzing whether plaintiff had standing to bring suit in federal court that was part of the bankruptcy estate under California’s real-person-in-interest statute). Accordingly, Plaintiff is ordered to show cause no later than **November 9, 2012**, why this case should not be remanded for lack of subject-matter jurisdiction.

Initials of Preparer: _____